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641 Lebanese Constitution, Introduction, 1926, [illegible]
full guarantees for the rights of individuals and communities. Article 9 declared:

> La liberté de conscience est absolue. En rendant hommage au Très-Haut, l'Etat respecte toutes les confessions et en garantit et protège le libre exercice, à condition qu'il ne soit pas porté atteinte à l'ordre public. Il garantit également aux populations, à quelque rite qu'elles appartiennent, le respect de leur statut personnel et de leurs intérêts religieux.

In addition, Article 10 stated that education was free, provided it did not conflict with public order or morals or touch the dignity of the confessions. There would be no infringement of the right of communities to have their schools, under reserve of the general regulations on public education issued by the State.

Personal Status and Communal Organization

692 641 563 Before the war of 1914–18, certain matters of personal status fell within the jurisdiction of the ecclesiastical courts of the millets; while all others were within the competence of the Shariah courts, which were on a higher level than the communal ones. In 1917, at the height of the war, the Ottoman Family Code deprived the Christian and Jewish courts of their jurisdictions, which were conferred on the Shariah tribunals. But this law was never effective and it was annulled in 1921. Soon afterwards the Moslem Shariah courts were placed on a level with those of the other communities by the transfer of all matters of personal status except marriage, divorce, separation, annulment and alimony, to the civil courts. But this measure met with opposition from all sides, and the decree containing it was suspended pending further consideration of the whole subject of personal status.

After several attempts to reform the whole system of jurisdictions had come to nothing, the High Commissioner issued in April 1936 a comprehensive decree defining the position of religious communities. The decree gave explicit legal recognition to the historic communities. Their statutes were given the force of law, and the application of them placed under the protection of the law and the control of the public authorities. They were to enjoy corporate personality, and to be represented in their relations with the public powers by their spiritual heads. Members of the communities would be obliged to conform to their statutes in matters of personal status, and to the civil law

where the statutes of the communities were silent. But anybody who had attained his majority would be at liberty to leave his community and enter a new one. The decree also provided for the recognition of *communautés de droit commun*, in addition to communities possessing personal status jurisdiction. They would enjoy certain rights, such as that of acquiring property, but in matters of personal status their members would be subject to the civil law. This last provision was to apply also to individuals who were not members of any religious community.

This decree was opposed by the ecclesiastical authorities; and in December 1936 a new one was issued, modifying it at certain points. For example it was now made clear that in cases of secession, children who were minors would follow their father's confession, even after the father's death and even if the mother had the custody of the children after separation or divorce.

The decree of 1936, like that of 1936, was opposed from many sides, and has not been fully carried out. The position of the religious courts is still undefined and unsatisfactory.

Social Structure of the Communities

There is a considerable difference between the social structure of the different communities. The Maronites are mainly an agricultural community: many of the large estates were broken up in the course of the nineteenth century and a class of freehold farmers created. As a whole, the standard of life is higher among them than among most other communities, owing to the fertility of their lands and emigration to the New World. In addition to the farmers, there is a large and prosperous bourgeoisie in Beirut. The force which holds together the community is the Church, whose priests, like those of all the Uniate Churches, are more highly educated than those of the independent Eastern Churches: the Patriarch has immense social power, which is, however, challenged by the large land-owning families with feudal traditions.

The Sunni Moslems are almost wholly an urban community, concentrated in Tripoli, Beirut and Saida. They form a great part of the proletariat of these towns, but there is also a Sunni commercial and professional bourgeoisie and some large land-owning families. They have nothing comparable with either the religious or the temporal solidarity of the Maronites, perhaps because they never had the millet organization of Ottoman days.

The Shi'is are mainly peasantry in the southern districts and

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§ 43 Government shall be obliged to carry out the Assembly's recommendations and submit the draft law within a period of four months.

(c) Procedure of the Assembly

§ 43 Art. 78 (*as amended October 17, 1927*). When a draft constitutional law is submitted to the Chamber, it shall, until a final vote § 44 is taken, confine itself to revision.

It may only discuss and vote on articles and questions specifically enumerated and defined in the draft submitted to it.

Art. 79 (*as amended October 17th, 1927*). When a draft constitutional law is submitted to the Chamber of Deputies, it may only be validly discussed and voted upon when a majority of two-thirds of the lawful members of the Chamber are present. Decisions shall be taken by a majority of two-thirds of the lawful members of the Assembly.

The President of the Republic shall be required to promulgate the constitutional law under the same conditions and in the same form as ordinary laws. He may request a further discussion of the law within the time fixed for promulgation. In that case also, the decision shall be taken by a two-thirds majority.

Part IV

Various Provisions

(a) High Court

§ 47 Art. 80 (*as amended October 17th, 1927*). The High Court § 48 shall consist of seven deputies elected by the Chamber of Deputies and of the eight highest Lebanese magistrates in order of rank or, should their rank be equal, in order of seniority, under the presidency of the magistrate of highest rank.

The sentences of the High Court shall be rendered by a majority of six votes. The procedure to be followed by this Court shall be determined by a law.

(b) Finances

§ 49 Art. 81 (*as amended January 20th, 1927*). Taxes shall be established for purposes of common utility. Taxes may only be levied in § 50 the Lebanese Republic in accordance with a uniform law which shall apply to the whole territory without exception.